

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

This document pertains to:

City of New York v. Amerada Hess Corp. et al.,
Case No. NY-04-CV-03417

**NOTICE OF DEFENDANTS' JOINT MOTION *IN LIMINE* TO
EXCLUDE EVIDENCE REGARDING TRADE-ASSOCIATION ACTIVITIES
UNTIL AND UNLESS PLAINTIFFS ESTABLISH PREDICATE FACTS**

PLEASE TAKE NOTICE that on May 11, 2009, at the United States Courthouse at 500 Pearl Street, New York, New York, Defendants to this action hereby move before the Honorable Shira A. Scheindlin, United States District Judge, at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York for an Order excluding evidence and argument regarding industry trade association activities unless and until Plaintiff first shows that the trade association's activities are imputable to Defendants under the governing law. Defendants' motion is based upon its Memorandum of Law filed concurrently herewith, and any reply brief or oral argument that may be submitted or made by the Defendant in connection with this motion.¹

¹ This motion is filed on behalf of Exxon Mobil Corporation; ExxonMobil Oil Corporation; Mobil Corporation; Lyondell Chemical Company; Equistar Chemicals, LP; Crown Central LLC; and Total Petrochemicals USA, Inc.

Dated: New York, New York
May 11, 2009

Respectfully submitted,



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on behalf of all remaining Defendants*